

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

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	:	
<i>In re</i>	:	
	:	
	:	PROMESA
THE FINANCIAL OVERSIGHT AND	:	Title III
MANAGEMENT BOARD FOR PUERTO RICO,	:	
	:	
as representative of	:	Case No. 17-BK-3283 (LTS)
	:	
THE COMMONWEALTH OF PUERTO RICO,	:	(Jointly Administered)
<i>et al.</i> ,	:	
	:	
	:	
Debtors.*	:	

<i>In re</i>	:	
	:	
THE FINANCIAL OVERSIGHT AND	:	PROMESA
MANAGEMENT BOARD FOR PUERTO RICO,	:	Title III
	:	
as representative of	:	
	:	Case No. 17-BK-04780-LTS
PUERTO RICO ELECTRICAL POWER	:	
AUTHORITY (PREPA),	:	Court Filing Relates Only to PREPA
	:	
Debtor.	:	

**STIPULATED WITHDRAWAL OF URGENT MOTION OF SOLUS TO FILE
UNDER SEAL UNREDACTED MOTION TO COMPEL TESTIMONY
PURSUANT TO RULE 30(b)(6) FROM U.S. BANK IN CONNECTION
WITH PREPA RSA SETTLEMENT MOTION**

* The Debtors in these title III cases, along with each Debtor’s respective Title III case number listed as a bankruptcy case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747).

To the Honorable United States District Judge Laura Taylor Swain:

SOLA LTD, Solus Opportunities Fund 5 LP, Ultra Master LTD, and Ultra NB LLC (collectively, “Solus”), as lenders to the Puerto Rico Electric Power Authority (“PREPA”) under the Trade Finance Facility Agreement, dated as of July 20, 2012, among PREPA and Citibank, N.A., as predecessor to the existing lenders thereunder (as amended, the “Citibank Credit Agreement” and together with the Credit Agreement, dated as of May 4, 2012, among PREPA, Scotiabank, and the lenders party thereto, the “Fuel Lines”), by and through their attorneys, respectfully submits this notice of the stipulated withdrawal of the *Urgent Motion of Solus to File Under Seal Unredacted Motion to Compel Testimony Pursuant to Rule 30(b)(6) from U.S. Bank in Connection with PREPA RSA Settlement Motion* (the “Motion to Seal”).

On July 16, 2019, Solus filed the Motion to Seal requesting the Court’s permission to file under seal a full and unredacted version of the *Motion of Solus to Compel Testimony Pursuant to Rule 30(b)(6) from U.S. Bank in Connection with PREPA RSA Settlement Motion* [Docket. No. 8047] (the “Motion to Compel”) as well as Exhibit C annexed thereto. As set forth in the Motion to Seal, certain materials produced by Citibank, N.A. (“Citibank”) that were described in and annexed to the Motion to Seal were designated by Citibank as “Confidential,” and therefore, consistent with Solus’ obligations under the *Stipulation and Protective Order in Connection with Discovery Regarding the Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922, and 928, and Bankruptcy Rules 3012(A)(I) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement and Tolling Certain Limitation Periods* [Docket. No. 1322 in case no. 17-04780] (the “Stipulated Protective Order”) and the *Tenth Amended Notice, Case Management and Administrative*

Procedures [Docket No. 8027-1] (the “Case Management Order”), Solus first met and conferred with Citibank to discuss the need for sealing and whether Citibank would provide its consent to filing the Motion to Compel on the public docket. Citibank was unable at the time to grant consent to filing publicly, and accordingly, Solus filed the Motion to Seal in order to comply with the Stipulated Protective Order.

On July 17, 2019, the Court entered the *Order Granting Motion to Seal for Limited Duration and for Supplemental Briefing* [Docket No. 8056] temporarily granting the Motion to Seal subject to Citibank’s submission of supplemental briefing setting forth the justification for continued sealing of the Motion to Compel and Exhibit C. The Court ordered that Citibank submit its brief by July 22, 2019.

On July 19, 2019, counsel for Citibank informed counsel for Solus that Citibank consents to (i) the filing of a full and unredacted version of the Motion to Compel and all accompanying exhibits on the public docket and (ii) the withdrawal of the Motion to Seal.

NOW, THEREFORE, IT IS HEREBY STIPULATED AS FOLLOWS:

1. Solus voluntarily withdraws, without prejudice, its Motion to Seal.
2. Solus and Citibank each reserve all rights available to the parties under the Case Management Order and the Stipulated Protective Order.
3. Solus and Citibank request that the Court enter an Order substantially in the form attached hereto as **Exhibit A**.

Dated: July 23, 2019

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